

Remarks

Claims 2-67 and 69 are currently pending in the Application.

Allowable Claims

Applicant acknowledges with gratitude the Examiner's indication of allowability as to Claims 4-17, 20-33, 37-40, 48-67 and 69.

Summary of claim amendments

This response amends Claim 2 to recite features of Claim 3 and cancels Claim 3 without prejudice. No new matter has been added.

This response amends Claim 34 to recite features of Claims 36-37 found patentable by the Examiner and cancels Claims 36-37 without prejudice. No new matter has been added.

This response amends Claim 41 to recite "a control element comprising at least three control element inputs; ... wherein two of the at least three control element inputs are connected to the first input and the second input, and a third of the at least three control element inputs are connected to the tuning arrangement." Support for the amendments can be found, for example, in Figures 6, 12 and the associated text in the specification.

35 U.S.C. §102(b) rejection in view of Robertson (U.S. Patent No. 6,124,813)

Claims 2-3, 18-19 and 34-36 stand rejected under 35 U.S.C. §102(b) as being anticipated by Robertson. Applicant respectfully disagrees.

The Examiner is reminded that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP 2131 quoting *Verdegaal Bros. V. Union Oil Co, of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Examiner is also reminded that "[the] identical invention must be shown in as complete detail as is contained in the ... claim." MPEP 2131 quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9

USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicant submits that the Examiner has not shown that Robertson teaches each and every element as set forth in the rejected claims. In particular:

Claim 2

Applicant submits that the Examiner has not shown that Robertson discloses, suggests or teaches, *inter alia*, the following features recited by amended Claim 1 of the present application:

“the control arrangement comprises **analog** processing elements ”
(emphasis added)

In responding to Applicant’s arguments that Robertson’s element “131” is not part of Robertson’s control arrangement, the Examiner stated that every element or electrical device which is coupled to a system is part of that system. See page 2, section 2 of the Office Action.

Based on the Examiner’s assertion, Applicant gathers that the Examiner considers “the control arrangement” as recited in Claim 2 to be disclosed by Robertson’s element “131, X1, X2 and X3.” Applicant respectfully traverses the Examiner’s assertion.

Applicant submits that Claim 2 has been amended to recite features of Claim 3. According to the amended Claim 2, “the control arrangement” as recited in Claim 2 has “a first control input” and “a second control input.” That means that the “analog processing elements” as recited in Claim 2 have to be **part** of the “the control arrangement” whose inputs are “a first control input” and “a second control input.” This arrangement is shown in Figure A below.

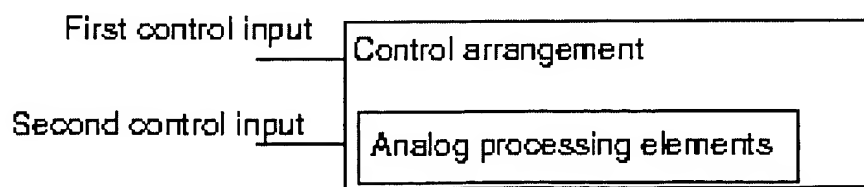


Figure A

According to the Examiner, the “first control input” and the “second control input” as recited in amended Claim 2 are disclosed by Robertson’s “IN A, IN B.” See page 5, second paragraph of the Office Action.

According to Robertson and as conceded by the Examiner, the inputs “IN A, IN B” are generated by the analog process element “131.” See Figure 14 of Robertson and page 2, lines 17-18 of the Office Action. This arrangement is shown in Figure B below.

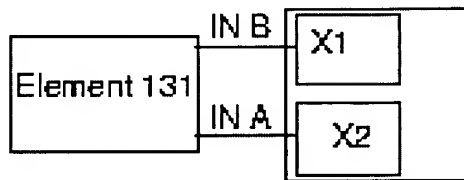


Figure B

Applicant submits that Robertson’s elements “131, X1 and X2” do not disclose the “control arrangement comprises analog processing elements” as recited in Claim 2, because Robertson’s analog processing element “131” are not part of a device with the inputs “IN B, IN A” whereas the “analog processing elements” of Claim 2 are part of the “control arrangement” with the “first control input” and the “second control input.”

Hence, Claim 2 is patentable over Robertson and should be allowed by the Examiner. Claims 18-19, at least based on their dependency on Claim 2, are also believed to be patentable over Robertson.

Claim 34

Applicant acknowledges with gratitude the Examiner’s indication of allowability as to Claim 37. Applicant traverses the Examiner’s rejection of Claim 34 and disagrees that Claim 34 is obvious in view of Robertson. However, in the interest of moving this application to issue, Applicant has amended Claim 34 to include limitations of Claims 36-37 found patentable by the Examiner in the Office Action and cancelled claims 36-37 without prejudice, expressly reserving the right to present these or any other rejected

claims or claims directed to other disclosed subject matter in a future divisional or continuation application.

35 U.S.C. §102(e) rejection in view of Adams (U.S. Patent No. 6,614,377)

Claims 41-47 stand rejected under 35 U.S.C. §102(e) as being anticipated by Adams. Applicant respectfully disagrees.

Claim 41

Applicant submits that Adams does not disclose, suggest or teach, *inter alia*, “a control element comprising at least three control element inputs; ... wherein two of the at least three control element inputs are connected to the first input and the second input, and a third of the at least three control element inputs is connected to the tuning arrangement” (emphasis added) as recited in amended Claim 41, because Adams only discloses two inputs “IN A and IN B.”

Hence, Claim 41 is patentable over Adams and should be allowed by the Examiner. Claims 42-47, at least based on their dependency on Claim 41, are also believed to be patentable over Adams.

Conclusion

In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

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April 19, 2006

(Date of Deposit)

Shannon Tinsley

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April 19, 2006

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